



PUBLIC NOTICE

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DA 16-336
March 30, 2016

Final Notice of Intent to Declare the International Section 214 Authorization of JuBe Communications, LLC Terminated

File No. ITC-214-20070607-00218

By this Public Notice, the International Bureau (Bureau) affords JuBe Communications, LLC (JuBe) final notice and opportunity to respond to the December 23, 2015 letter submitted by the Department of Justice (DoJ), with the concurrence of the Department of Homeland Security and the Federal Bureau of Investigation (collectively the “Executive Branch agencies”), requesting that the FCC terminate, and declare null and void and no longer in effect and/or revoke¹ the international section 214 authorization issued to JuBe under file number **ITC-214-20070607-00218**.²

In the *Executive Branch Dec. 23, 2015 Letter*, the Executive Branch agencies state that they have reason to believe that JuBe may be dissolved and no longer providing service.³ As a result, the Executive Branch agencies indicate that JuBe is unable to comply with the commitments and undertakings contained in the July 12, 2007 Letter JuBe entered into with the Executive Branch agencies to address national security and law enforcement concerns.⁴ Compliance with these commitments is a condition to the international Section 214 authorization the Commission issued to JuBe on July 27, 2007.⁵ On January 19, 2016, the Bureau’s Telecommunications and Analysis Division sent a letter to JuBe at the last known addresses on record via certified, return receipt mail, asking JuBe to respond to the Executive Branch agencies’ allegations by February 18, 2016.⁶ The *January 19, 2016 Letter* stated that failure to respond

¹ Letter from Richard Sofield, Director, Foreign Investment Review Staff, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC, IB File No. ITC-214-20070607-00218 (Dec. 23, 2015) (*Executive Branch Dec. 23, 2015 Letter*).

² *International Authorizations Granted, Section 214 Applications (47 CFR § 63.18); Section 310(b)(4) Requests*, Report No. Tel-01174, Public Notice, 22 FCC Rcd 14026 (IB 2007) (*JuBe 2007 International Authorization*).

³ *Executive Branch Dec. 23, 2015 Letter* at 1, 2.

⁴ *Id.*; Letter from María Eunice Juárez Bedoya, JuBe Communications LLC to Ms. Sigal Mandelker, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice *et al.* (July 12, 2007).

⁵ *JuBe 2007 International Authorization*, 22 FCC Rcd at 14027.

⁶ Letter from Denise Coca, Chief, Telecommunications and Analysis Division, International Bureau, FCC to Juan Carlos Castillo Vazquez, JuBe Communications LLC at 1 (Jan. 19, 2016). A copy of this letter, and of the *Executive Branch Dec. 23, 2015 Letter*, may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for File No. ITC-214-20070607-00218 and accessing the “other filings related to this application” from the Document Viewing area.

would result in the issuance of an order to terminate JuBe's international Section 214 authorization.⁷ JuBe did not respond to the request.

In addition, the Communications Act of 1934, as amended (the Act) and the Commission's rules require authorization holders to comply with certain requirements that enable the Commission to contact and communicate with the authorization holder and verify whether the authorization holder is still providing service. JuBe appears to have failed to comply with those requirements.⁸

JuBe's failure to respond to this Public Notice will be deemed as an admission of the facts alleged by the Executive Branch agencies and of the violation of the statutory and rule provisions set out above. The Bureau hereby provides final notice to JuBe that it intends to take action to declare JuBe's international 214 authorization terminated for failure to comply with conditions of its authorization, and further advises that it may refer the matter for enforcement action for non-compliance with the applicable regulatory provisions. **JuBe must respond to this Public Notice no later than 15 days after publication in the Federal Register.**

The Bureau is serving a copy of the Public Notice on JuBe by certified mail, return receipt requested, at the last address of record appearing in Commission records. JuBe should send its response to Denise Coca, Chief, Telecommunications and Analysis Division, International Bureau via email at Denise.Coca@fcc.gov and to Cara Grayer, Telecommunications and Analysis Division, International Bureau at Cara.Grayer@fcc.gov and file it in File No. **ITC-214-20070607-00218** via IBFS at <http://licensing.fcc.gov/myibfs/pleading.do>.

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules.⁹ Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b).¹⁰ Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Cara Grayer, Telecommunications and Analysis Division, International Bureau, (202) 418-2960.

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⁷ *Id.* at 2.

⁸ For example, every carrier must designate an agent for service and keep that information current. 47 U.S.C. § 413; 47 CFR §§ 1.47(h), 64.1195. *See also* 47 CFR §§ 63.19, 63.21(a), and 63.21(d).

⁹ 47 CFR § 1.1200 *et seq.*

¹⁰ 47 CFR § 1.1206(b).